

REMARKS

Applicants have carefully reviewed the Application in light of the Office Action transmitted August 27, 2008 ("*Office Action*"). The Office Action rejects Claims 1-31. Applicants amend Claims 1, 7, 25, and 31 and cancel Claims 4, 10, and 28 without prejudice or disclaimer. Thus, Claims 1-3, 5-9, 11-27, and 29-31 remain pending in the Application. The amendments of claims only further clarify subject matter already present. Applicants submit these amendments only in order to advance prosecution in this case. Applicants respectfully request reconsideration of the pending claims and favorable action in this case.

Rejections under 35 U.S.C. § 103

The Examiner rejects Claims 1-3, 5-9, 11-27, and 29-31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,847,618, which issued to Laursen, et al. ("*Laursen*"), in view of U.S. Patent No. 6,163,647, which issued to Terashima, et al. ("*Terashima*").* Applicants respectfully traverse this rejection and submit that *Laursen* and *Terashima*, whether taken alone or in combination, fail to teach or suggest each and every element recited in the claims.

Claims 1-3, 5-9, 11, 12, 25-27, and 29-31

Applicants respectfully submit that *Laursen* and *Terashima*, whether taken alone or in combination, fail to teach or suggest each and every element recited in independent Claims 1, 7, 25, and 31, as well as their dependent claims.

Consider Applicants' independent Claim 1, which, as amended, recites:

A method for supporting communications comprising:
establishing a communications conference, the communications conference including a plurality of conference participants, each conference participant providing an audio stream;
identifying audio data packets in the audio streams;
mixing audio information from selected ones of the audio data packets to generate a conference audio stream;

* For some claims, the *Office Action* cites to a reference named "Kumar." See, e.g., *Office Action* at 6 (Claims 7 and 13) and 7 (Claims 19 and 25). Based on the statement in the *Office Action* on page 2 that "Claims 1-31 are rejected . . . as being unpatentable over Laursen . . . in view of Terashima," however, Applicants understand that the *Office Action* mistakenly cites to "Kumar" instead of *Terashima*. If Applicants' understanding is incorrect, and furthermore if the "Kumar" reference is U.S. Patent No. 6,526,445, which issued to Kumar, et al., Applicants hereby incorporate by reference the arguments presented in the Response filed with respect to the present Application on July 10, 2008.

communicating the conference audio stream to the conference participants;
identifying enhanced media packets embedded in at least one of the audio streams; and
communicating the enhanced media packets to selected ones of the conference participants;
wherein communicating the enhanced media packets to selected ones of the conference participants comprises identifying conference participants capable of using the enhanced media packets and communicating the enhanced media packets to the identified conference participants.

Among other aspects of independent Claim 1, *Laursen* and *Terashima*, whether taken alone or in combination, fail to teach or suggest “wherein communicating the enhanced media packets to selected ones of the conference participants comprises identifying conference participants capable of using the enhanced media packets and communicating the enhanced media packets to the identified conference participants.” As teaching these claimed aspects, the *Office Action* cites to a portion of *Laursen*. *Office Action* at 5. In the cited portion, *Laursen* discusses the processing of packets carrying audio to conference call participants. *Laursen*, column 22, lines 25-44. The processing of packets carrying audio to conference call participants, however, fails to teach or suggest “wherein communicating the enhanced media packets to selected ones of the conference participants comprises identifying conference participants capable of using the enhanced media packets and communicating the enhanced media packets to the identified conference participants.” Similarly, the cited portions of *Terashima* fail to teach or suggest these aspects of independent Claim 1. The addition of *Terashima*, therefore, fails to remedy the shortcomings of *Laursen*.

For at least these reasons, Applicants respectfully submit that independent Claim 1 is allowable over *Laursen* and *Terashima*. These reasons apply similarly with respect to Applicants’ independent Claims 7, 25, and 31. Therefore, for similar reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of independent Claims 1, 7, 25, and 31 as well as their respective dependent claims.

Claims 13-24

Applicants respectfully submit that *Laursen* and *Terashima*, whether taken alone or in combination, fail to teach or suggest each and every element recited in independent Claims 13 and 19, as well as their dependent claims.

Consider Applicants' independent Claim 13, which recites:

A system supporting communications comprising:
a conference bridge operable to establish a communications conference having a plurality of conference participants;
a first conference participant having a first set of media capabilities;
and
a second conference participant operable to communicate a message identifying a second set of media capabilities associated with the second conference participant to the conference bridge;
wherein the conference bridge is further operable to redirect the message to the plurality of conference participants; and
wherein the first conference participant is further operable to determine whether the first set of media capabilities and the second set of media capabilities both include an enhanced media capability, and to communicate enhanced media packets to the second conference participant in response to determining that the first set of media capabilities and the second set of media capabilities both include the enhanced media capability.

Among other aspects of independent Claim 13, *Laursen* and *Terashima*, whether taken alone or in combination, fail to teach or suggest "wherein the first conference participant is further operable to determine whether the first set of media capabilities and the second set of media capabilities both include an enhanced media capability, and to communicate enhanced media packets to the second conference participant in response to determining that the first set of media capabilities and the second set of media capabilities both include the enhanced media capability." Indeed, the *Office Action* does not appear to cite to any portion of *Laursen* or *Terashima* as teaching these claimed aspects. *Office Action* at 6.

For at least these reasons, Applicants respectfully submit that independent Claim 13 is allowable over *Laursen* and *Terashima*. These reasons apply similarly with respect to Applicants' independent Claim 19. Therefore, for similar reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of independent Claims 13 and 19 as well as their respective dependent claims.

CONCLUSION


Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicants respectfully request reconsideration and allowance of this Application.

If the Examiner feels prosecution of the present Application may be advanced by a telephone conference, Applicants invite the Examiner to contact the undersigned attorney at (214) 953-6951.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants


David O. Taylor
Reg. No. 56,453

Date: November 26, 2008

Customer No. **05073**